

Searsport Historic Preservation Committee

Application for Certificate of Appropriateness

Dear Applicant:

A Certificate of Appropriateness from the Searsport Historic Preservation Committee is required for any physical changes to the exterior of a building or structure that is a historical landmark or within a historic district and the demolition of any building or structure, 50 years old or older in any district. This includes, but is not limited to, any addition, reconstruction, alteration, or demolition, whether or not a building permit is required. It is not the purpose or desire of this Committee to discourage improvements to your property, but to ensure that its unique character is maintained.

Before filling out the application, please familiarize yourself with the Town of Searsport Land Use Ordinance Section IIIC3 Historic Overlay District and Section VII Demolition. The Historic Preservation Committee and Code Enforcement Officer can help you with the application procedure. They can be reached at the Searsport Town Office (207) 548-6372.

In reviewing the proposed work on your building and/or site, the HPC is guided by the Standards of Review as contained in Section IIIC3 and Section VII Demolition of the Town of Searsport Land Use Ordinance and by the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation.

In the application, please include photographs of the existing condition, descriptions and illustrations of the proposed work or demolition. These should clearly state the nature of the proposed work, and the photographs should be clearly identified. Please submit site plans, drawings or sketches, and any other material you feel will describe your project. These items will assist the Committee in understanding your proposal.

3. HISTORIC OVERLAY DISTRICT (H)

a. PURPOSE

The purpose of the Historic Overlay District is to acknowledge and ensure the long-term preservation of historical structures listed on the National Register of Historic Places and not to regulate land use. Please refer to the appropriate "overlay" district. This district applies only to properties listed on the National Register of Historic Places and designated on the Official District Boundary Map of the Town of Searsport.

b. The following described lands, buildings or structures or areas of the Town which are designated historic districts, historic sites or historic landmarks, as follows:

Historic Districts.

Penobscot Marine Museum Historic District

- Congregational Church Vestry
- Old Searsport Town Hall
- Captain Merithew House
- Nickel-Colcord, Duncan House
- Fowler-True-Ross House

Searsport Downtown Historic District

- Bank Building Map 12 Lot 36
- Sargent Block Map 12 Lot 35
- Nichols Block Map 12 Lot 34
- Ice Cream Parlor Map 12 Lot 32
- Richard Smart Building Map 12 Lot 31
- Marrithew Block Map 12 Lots 27 & 26
- Methodist Church Map 12 Lot 23
- Smart Block Map 15 Lot 23
- Leach Block Map 15 Lot 44
- Pendelton Block Map 15 Lot 45 & 47
- Whitcomb Block Map 15 Lot 47

East Main Street Historic District

- Captain John Nichols House
- Captain John McGilvery House
- Captain William McGilvery House
- Captain John P. Nichols
- Captain A. V. Nichols

Historic Landmark- Reserved

Historic Site

- Union Hall
- Mortland Family Home
- Union School, Mt. Ephraim Rd.
- Carver Memorial Library
- James G. Pendleton House, 81 West Main St.
- College Club Inn, 190 West Main St.

c. CRITERIA FOR ESTABLISHMENT OF HISTORIC DISTRICTS, HISTORIC SITES, INDIVIDUAL HISTORIC PROPERTIES AND HISTORIC LANDMARKS

GENERAL

One (1) or more of the following characteristics, without limitation as to cultural or chronological period, shall serve to qualify an historic district, historic site, individual historic property, historic

landmark or archaeological site, as defined in Section VIII of this Ordinance, to be established in accordance with this Ordinance:

Structures or sites at which events occur or have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social or sociological history of Searsport and the nation, including sites and buildings at which the public may gain insight.

Structures or sites importantly associated with historic personages.

Structures or sites importantly associated with historic examples of a great idea or ideal.
Structures or structural remains and sites embodying examples of architectural types of specimens valuable for study or representation of a period, style, or method of building construction, of community organization and living or of landscaping; or a single notable structure or a single site representing the work of a master builder, designer, architect or landscape architect.

Structures contributing to the visual continuity of an historic district.

Structures or sites listed on or eligible for listing on the National Register of Historic Places and structures or sites listed as or eligible for listing as a National Historic Landmark.

d. DISTRICT STANDARDS

Where any property included within the Historic Overlay District is the subject of a land use approval under this or any other Searsport ordinance, the application may be referred to the Historic Preservation Committee, which may make findings as to whether the following standards will be met by the development. On the recommendation of the Planning Board or the Code Enforcement Officer, the Board of Selectmen may appoint expert persons to serve in an advisory position or on a consultant basis to assist the Planning Board or Code Enforcement Officer in the performance of their functions. Such person or persons need not be residents of the Town and may, by authorized prearrangement with the Planning Board or Code Enforcement Officer and Selectmen, receive compensation. Such findings shall be advisory to the Code Enforcement Officer or Planning Board, which shall make final determinations and may place reasonable conditions related to these standards.

- i. Every reasonable effort shall be made maintain the integrity of existing buildings, structures or grounds, giving due consideration to the economic feasibility of maintaining such buildings, structures or grounds.
- ii. The distinguishing original qualities of character of a building, structure or site shall not be destroyed. The removal or alteration of any historical material or distinctive architectural features should be avoided when reasonably possible.
- iii. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis should be avoided when reasonably possible.
- iv. Distinctively stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be retained wherever feasible.
- v. Deteriorated architectural features shall be repaired rather than replaced, wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in

composition, design, texture, color, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

vi. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be avoided when possible.

e. PLANNING BOARD APPROVAL NEEDED

i. The following changes to buildings, structures and sites in the Historic Overlay District or listed on the National Register of Historic Places will require Planning Board approval.

ii. Any change in the exterior appearance of an historic landmark, an historic site or any building in an historic district if such change requires a building or sign permit from the Code Enforcement Officer.

iii. New construction of a principal or accessory building or structure visible from a public street where such building or structure will be located in an historic district.

iv. Moving of an historic landmark or any building in an historic district.

v. Any change, except minor repair, in siding materials, roofing materials, door and window sash and integral decorative elements, such as, but not limited to, cornices, brackets, window architraves, doorway pediments, railing, balusters, columns, cupolas and cresting and roof decorations.

vi. Other improvements or alterations to the site where a historic landmark, historic site or building in a historic district is located which require Planning Board approval.

f. STANDARDS OF EVALUATION

The standards and requirements contained in this section and the Secretary of the Interior's Standards for Rehabilitation (1990 Edition) and the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995 Edition) shall be used in review of applications.

i. Construction of new buildings and structures in historic district. The construction of a new building or structure within an historic district shall be generally of such design, form, proportion, mass, configuration, building material, texture, color and location on a lot as will be compatible with other buildings in the historic district and with streets and open spaces to which it is visually related and in keeping with the area.

ii. Visual compatibility factors for new construction and additions. Within historic districts, historic sites or historic landmarks, all new construction and all new additions shall be visually related generally in terms of the following factors:

(1). Height. The height of proposed buildings shall be compatible with adjacent buildings.

- (2). Proportion of building's front facade. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related.
 - (3). Proportion of openings within the facade. The relationship of the width of the windows to the height of windows and doors in a building shall be visually compatible with that of windows and doors of buildings to which the building is visually related.
 - (4). Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with that of the buildings to which it is visually related.
 - (5). Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with that prevailing in the area to which it is visually related.
 - (6). Rhythm of entrance and/or porch projection. The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible with that of buildings to which it is visually related.
 - (7). Relationship of materials and textures. The relationship of the materials and textures of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related.
 - (8). Roof shapes. The roof shape of a building shall be visually compatible with that of the buildings to which it is visually related.
 - (9). Scale of building. The size of the building, the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with those characteristics of buildings and spaces to which it is visually related.
 - (10). Directional expression of front elevation. A building shall be visually compatible with the building, squares and places to which it is visually related in its directional character, whether this shall be vertical character, horizontal character or nondirectional character.
- iii. Standards for renovations, alterations and repairs of existing buildings, structures and appurtenances thereof.

(1) Within historic districts, historic sites and historic landmarks, the Board shall use the standards listed below in the evaluation of an application for all renovations, alterations and repairs of existing buildings, structures and appurtenances thereof:

- (a) Every reasonable effort shall be made to provide a compatible use which will require minimum alteration to the structure and its environment.
- (b). Rehabilitation work shall not destroy the distinguishing qualities nor character of the structure and its environment. The removal or alteration of any historic material or architectural features should be held to a minimum.
- (c). Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings.
- (d). Distinctive stylistic features or examples of skilled craftsmanship which characterize historic structures and often predate the mass production of building materials shall be treated with sensitivity.

- (e). Changes which may have taken place in the course of time are evidence of the history and development of the structure and its environment, and these changes shall be recognized and respected.
- (f). All structures shall be recognized as products of their own time. Alterations to create an earlier appearance shall be discouraged.
- (g). Contemporary design for additions to existing structures shall be encouraged if such design is compatible with the size, scale, material and character of the neighborhood, structures or its environment.
- (h). Wherever possible, new additions or alterations to structures shall be done in such a manner that if they were to be removed in the future the essential form and integrity of the original structure would be unimpaired.

(2). In determining compliance with these standards, the Board shall be guided, although not bound, by the Guidelines for Applying the Secretary of the Interior's Standards for Rehabilitation and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

g. Exceptional circumstances.

The Board may approve an application where the standards otherwise set forth in this section are not met but where the Board determines that failure to approve the application would result in undue hardship to the owner of the property. Before the Board may issue a certificate under this subsection, the records must show the following:

The property cannot yield a reasonable economic return or the owner cannot make any reasonable use of the property. Reasonable economic return shall not be construed to mean a maximum return, and any reasonable use shall not be construed to mean the highest and best use.

h. Ordinary maintenance permitted; public safety.

Ordinary maintenance permitted. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior feature in an historic district or of any historic landmark which does not involve a change in the design, material or outer appearance thereof.

Safety. Nothing in this section shall prevent the construction, reconstruction, alteration, restoration or demolition of any feature which the Code Enforcement Officer shall certify is required by the public safety because of an unsafe or dangerous condition.

SECTION VII: DEMOLITION

Demolition Delay

Purpose: While the Demolition Delay cannot and does not prohibit anyone from demolishing or altering historically significant or sensitive homes, it does at least give the town and the Searsport Historic Preservation Committee (HPC) the chance to preserve the architectural and historical features as a record for the future. This section is presented in furtherance of the policy set forth in the Growth Management Act, the Maine State goal, to preserve the State's historic and archaeological resources, and the Searsport Comprehensive Plan.

No applications for the act of demolition as allowed by a building permit or demolition permit for a structure 50 years or older shall be approved by the Code Enforcement Officer (CEO) until the Historic Preservation Committee (HPC) makes a determination as to its historic or architectural significance, and has the opportunity to pursue alternatives to demolition that will preserve, rehabilitate, or restore it or properly record it. Alternatives must be mutually agreeable to the Committee and the applicant. The

Demolition Delay shall apply to all structures in the Town, not limited to those previously landmarked or included in a Historic District or on the National Register.

1. Upon receiving a request to demolish a structure 50 years old or older, the CEO shall date the application and promptly forward a copy of the application to the Chairman of the HPC.
2. The HPC will conduct a Public Hearing within 60 days of the HPC's receipt of the applicant's request to demolish, unless an extension is agreed to by both the Committee and the applicant. The purpose of the Public Hearing shall be to determine whether the structure is of sufficient historical or architectural significance for the HPC to pursue alternatives to demolition. Written notice of the public hearing shall be given by first class mail to the applicant and to owners of abutting properties of the applicant's lot at least 7 days prior to the hearing date. The CEO and any consultants or professional advisors of the HPC shall also be notified. The HPC shall post the meeting notice in the Town Hall and publish notice of the date, time, and place of the hearing in a newspaper of general circulation in Searsport at least 7 days prior to the Hearing.
3. Should the HPC make a determination of historical or architectural significance, they shall seek alternatives to demolition. The period for pursuing alternatives to demolition shall not be more than 60 days beyond the determination of significance, or a total of 120 days from the date of the HPC's receipt of request for demolition, unless an extension is agreed to by both the HPC and the applicant.
4. There shall be a notice posted of intent to demolish visible on the property throughout the period of HPC review in order to encourage public awareness and input into the review process.
5. Following the Public Hearing, and at the same meeting, the HPC shall determine if the building or structure, or the portion of the building or structure to be demolished is significant enough to warrant pursuit of alternatives to demolition. The following actions may be taken following the Public Hearing:
 - a. If it is determined to be not significant, the HPC shall transmit this decision to the CEO, who shall be authorized to issue the permit to demolish immediately.
 - b. If it is determined to be significant, the HPC shall transmit this decision to the CEO, who shall be prohibited from issuing the permit to demolish until the 120 day delay is fulfilled. Criteria for determining structure significance shall be based upon one or more of the following:
 - i. Structures or archaeological sites at which events occur or have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social, or sociological history of Searsport or nation.
 - ii. Structures or archaeological sites associated with Town historic personages, great ideas or ideals.
 - iii. Structures or archaeological sites on or eligible for listing on the National Register of Historic Places or in the Local Historic District.

iv. Structures or archaeological sites embodying examples of architectural types or specimens valuable for study of a period, style, or method of building construction.

c. Failure to make a determination of significance within 60 days shall also constitute HPC approval of the application for demolition.

6. Any alternative to structure demolition must be mutually agreed upon in writing by the applicant and the HPC.

7. The HPC shall be authorized to obtain photographic or professional documentation of a structure determined to be significant at no expense to the applicant.

8. In the event a structure is demolished before the review process is completed, no building permits shall be issued to the applicant, for construction on the lot the demolished building occupied for a period of 2 years. Any permits current for the applicant shall be revoked.

9. In the event a structure is deemed a danger to life or property by the CEO, the CEO may allow demolition before the review deadline.

10. Waivers. The HPC may, upon the applicant's request, waive any part of the 120-day delay period procedures. Such action shall be taken only upon:

a. A finding of the HPC that the strict application of the demolition delay provisions to the applicant and his property would cause undue hardship that could not be reasonably avoided. Undue hardship shall not include mere inconveniences or incidental financial loss;

b. The HPC finds that the goals and objectives of the demolition delay can be achieved in less than (120) days.

11. All demolition work shall be completed within thirty days of permit issuance. When circumstances beyond the permittee's control prevent completion of the work, the permittee may request an extension in writing to the CEO prior to expiration of the permit. Requests for extension must indicate why additional time is necessary to complete the work.

12. A demo delay decision by the HPC is not transferrable to a new owner of the property. If the property is sold during the demo delay period, then the demo delay will restart at the date of closing. Once a demo delay has expired, but before a demolition permit is issued by the CEO, and the property is sold to a new owner, the demo delay application process begins again.

13. Appeals. Any action of the Historic Preservation Committee may be appealed in writing directly to the Board of Appeals, by the affected party.

Searsport Historic Preservation Committee
Application for Certificate of
Appropriateness / Demolition Delay
(For Demolition Delay, complete Sections 1 and 4
only)

1. Basic Information:

Name of Applicant: _____

Address of Applicant: _____

Contact Phone of Applicant: (____)____-____

Name of property owner if different from Applicant:

Address of property owner if different from Applicant: _____

Location of property: _____ MAP LOT
(Street Address)

Present Use and Zoning classification: _____ (_____) (_____)
(Use) Zone

Names and addresses of Abutters (attach separate sheet if necessary)

Name: _____, Address: _____

Name: _____, Address: _____

Name: _____, Address: _____

Name: _____, Address: _____

Name: _____, Address: _____

2. Specified Improvements: *(Skip this section and proceed to section 4 for Demolition)*

Please provide detailed description of how you propose to treat or change the existing material of the building(s) or structure(s), where applicable. Some of the elements you should list below: siding, roofing, eaves, corner trim, window sash, window trim, doors and door trim porches, dormers, bay windows, etc. Attach separate sheets as needed, clearly labeled.

1. Architectural Element: _____

Describe Work and Impact on Element: _____

Photo Number: _____ Drawing Number: _____

2. Architectural Element: _____

Describe Work and Impact on Element: _____

Photo Number: _____ Drawing Number: _____

3. Architectural Element: _____

Describe Work and Impact on Element: _____

Photo Number: _____ Drawing Number: _____

3. Major Improvements: *(Skip this section and proceed to section 4 for Demolition)*

Please describe the proposed work and include elevations drawn to scale that illustrate architectural details and identify proposed materials, finishes and a site plan if appropriate.

Describe Existing Structures, Architectural Elements and Site: _____

Describe Work and Impact: _____

Photo Number: _____	Drawing Number: _____
Photo Number: _____	Drawing Number: _____
Photo Number: _____	Drawing Number: _____

4. Demolition:

A Certificate of Appropriateness is required for the demolition and also for moving of a building or structure. Attach photographs of the property and of adjacent sites if in a Historic District.

Current Condition of Structure: _____

Reason for Demolition or Moving: _____

Does the building contribute to a historic district or landmark property? _____

If not, please explain: _____

Photo Number: _____ Drawing Number: _____

Photo Number: _____ Drawing Number: _____

Photo Number: _____ Drawing Number: _____

Signature of Applicant: _____ Date: ____/____/____

APPROVAL

Meeting Date: _____ Map / Lot: _____

Board Votes: Yes _____ / No _____

Description of Approval: _____

HPC Chairman

DENIAL

Meeting Date: _____ Map / Lot: _____

Board Votes: Yes _____ / No _____

Description of Approval: _____

HPC Chairman